

Hampton Bays Citizens Advisory Committee Meeting

Minutes

June 15, 2016

Members Present: Mary Egan; Gayle Lombardi; Terrance McGrath; Tom Mulrooney; Kevin Springer; Eric Sutton; Maureen Sutton; Zeb Youngman

Members Absent: Daniel Aube; Margaret Campbell, Bruce Doscher; Michael Dunn; Paula Godfrey, Ed Laureano; Simone Scotto

Elected Officials: Councilperson Julie Lofstad

Guests: various

- **Call to Order by Acting Chairperson Tom Mulrooney at 7:10 PM**
- **Pledge of Allegiance**
- **Old Business:**
 - **Responses to queries sent to SHT from prior meeting (Attachment 1)**
 - **Community Input for the Ponquogue Beach Pavilion**

Councilperson Lofstad explained that the Town has requested conceptual plans that offer a wide range of renovation options at the Ponquogue Pavilion. Councilperson Lofstad explained that the Pavilion is in need of major repairs. Councilperson Lofstad reassured the attendees that there will be ample time for community input for the renovations including public hearings and potentially an on-line survey. The issue as to why the Ponquogue Pavilion was being considered for a full-service restaurant was raised. In addition, the question was raised as to why the Town would be considering a full-service restaurant when the Town closed the bars by Tiana Beach. Councilperson Lofstad suggested that this issue be raised during the public hearing portion of the process. It is anticipated that the actual work on the Pavilion should begin sometime in September.
 - **Town Board Working Session Meeting on Thursday, July 14, 2016 at 10 AM at the Hampton Bays Firehouse**

Attendees discussed that while it was appreciated that the Town Board was going to hold a Town meeting in Hampton Bays, it would be futile if the topics discussed were not related to issues related to Hampton Bays. Councilperson Lofstad indicated that she would relay this issue to the Town Board. Attendees also voiced concern about the availability of residents to attend a 10: 00 AM meeting. Ms. Lombardi indicated that she would follow up with the HB CAC prior to the meeting to determine if there are any items that the HB CAC wants to discuss that that meeting.

- **Foster Avenue Park Maintenance**

Councilperson Lofstad indicated that she is following up on the maintenance issue personally since she was involved in the development of the Park before she was elected as a Councilperson. She will report back the HB CAC regarding the progress of the maintenance

- **Town of Southampton Community Project Web Page**

Attendees discussed the new Town of Southampton Project web page, but no one had had a chance to look at it and comment. Further discussion of this issue was tabled until next meeting.

- **Status of Gotcha "Trolley"**

Attendees discussed the status of the trolley as reported by Ryan Horn (attachment 1)

- **Use of CPF monies for Maintenance**

Attendees discussed Mr. Ryan Horn's response that monies can be used for the maintenance of CPF properties. Further discussion of this issue was tabled until next meeting.

- **Code Enforcement**

Attendees once again discussed the apparent lack of code enforcement in Hampton Bays. One attendee noted that the Town's Code Enforcement is really only "code notification" since it does not appear that anything gets enforced. Councilperson Lofstad explained that after Code Enforcement completes their investigation, the case then is under the jurisdiction of the Justice Court. Attendees voiced their frustration about the lack of action taken on the part of the Town Officials related to code enforcement on overcrowded housings, motels being used as long-term rentals and the overall condition of many private properties. Attendees questioned the status of the code violation complaints submitted to the Town Officials by the Concerned Citizens of Hampton Bays ("CCHB"). Councilperson Lofstad indicated that she will follow up and report back to the HB CAC.

- **SHT Initiative for Accessory Apartments**

Attendees reiterated concerns that were discussed at previous meetings regarding the material adverse effect that this initiative would have on Hampton Bays. Councilperson Lofstad assured the attendees that the intent of the program is to provide for accessory apartments east of the Canal. Councilperson Lofstad indicated that the Program Criteria is being drafted and would have exclusions for areas such as Hampton Bays. Attendees thanked Councilperson Lofstad for the information, but indicated that their concerns will continue until that exclusion is presented in an official document from the Town.

- **Suffolk County Proposed Water Usage Surtax**

8/7/4

Councilperson Lofstad reported that the proposed Suffolk County water usage surtax has been rescinded for now.

- **Hampton Bays Economic Development Committee**

Gayle Lombardi noted that the HB Economic Development Committee meets monthly (second Thursday of the Month at the Senior Center) and is open to the public. Mike Dunn, as the Chairperson of the HB CAC, is a member. Ms. Lombardi indicated that she will notify the CAC members in the future especially if Mr. Dunn cannot attend the meeting.

- **General Maintenance of Public Property**

Attendees voiced concern about the maintenance of Town-owned property especially as it related to property maintained by the Parks and Recreation Department. Attendees noted garbage, overflowing garbage cans and poorly maintained property such as discussed above at the Foster Avenue Park. Councilperson Lofstad indicated that she will discuss with members of Parks and Recreation and report back to the HB CAC.

- **Code Enforcement of Private Property Maintenance**

Attendees discussed the various “eyesores” in Hampton Bays which have been previously reported in the HB CAC minutes. Gayle Lombardi reiterated the importance of all the members of the CAC and other residents to stay vigilant in reporting potential code violations to the Town. Ms. Lombardi offered to submit the complaint to the Town on behalf of the members as long as they send the information to her i.e. location, date, violation and pictures, if possible.

- Attendees specifically reiterated their concerns about the Liggett’s Shopping Center since the *Community Supermarket and Deli* opened. Attendees reported shopping carts, outdoor tables, limited parking, garbage, numerous dumpsters and crates in back. Attendees questioned whether a supermarket/deli could do business in that Shopping Center under the Town of Southampton zoning. This question will be forwarded to Ryan Horn for next month’s meeting discussion.

- **New Business:**

- **Status of Enforcement Actions at Charlie Brown’s Bar and Grill.**

Councilperson Lofstad indicated that the State Liquor Authority of New York had suspended the liquor license but did not have all the details. She indicated that she would provide Gayle Lombardi, Recording Secretary of HB CAC additional details the following day so Ms. Lombardi could distribute it to the HB CAC members to evaluate any further action to be taken by the HB CAC members.

- **Construction of Sidewalks along Springville Road.**

8 3/4

Attendees discussed potentially upgrading the “walkways” along Springville Road into sidewalks. Mr. Mulrooney suggested to Councilperson Lofstad that there may be funding available from the U.S. Department of Transportation.

- Various Crosswalks

Gayle Lombardi reported that she was meeting with Mr. Thomas Neely, Town of Southampton Director of Public Transportation and Traffic Safety, on Thursday, June 16th to discuss the safety of the curb cut at the southwest corner of Montauk Highway and Ponquogue Avenue; the crosswalk at the Squiretown Road entrance of Bishop Ryan/Church of St. Rosalie; and the proposed crosswalk on Squiretown Road at the Vehicular Entrance of Good Ground Park and would report back to the HB CAC next month.

- Meeting Adjourned at 8:35 PM.

Respectfully Submitted,

Gayle Lombardi 6-29-16

Gayle Lombardi
Secretary
Hampton Bays CAC

Attachment 1

Portion in Bold indicate responses from Ryan Horn, Town of Southampton

1. You indicated: *"The woods adjacent to the railroad tracks are owned by PSEG so they are the ones that have to file the affidavits with PD."*

Please advise what the Town is doing about getting the affidavits from PSEG.

Under the State's trespassing laws, it is the private property owner who initiates the complaint to the Town/police, who then instructs them on how to file the affidavit. I have asked the police department to what extent PSEG has done so. Lieutenant Ralph of the Community Response Unit is looking into the matter and will update me on her findings. I will in turn notify Gayle from the CAC when we have additional information.

2. You indicated: *"The umbrellas aren't attached to the chairs, but are set up at the base of the chair on the sand and in the immediate vicinity."*

The members continued to voice concern about the umbrellas not being attached to the chairs for the safety of our lifeguards.

I have re-iterated the CAC's concern to both the Parks Department and the Town's Employee Safety Officer that the lifeguards have all potential options for improved safety available to them.

3. Please verify timing of additional Montauk Highway Road work.

According to the road repaving plans presented by the Suffolk County Department of Public Works at their public presentation in Hampton Bays last year, Phase 2 will likely be implemented in 2019. I verified with Transportation Director Tom Neely that this is the latest information we've been provided with regard to the long term schedule.

New Queries from 5-18-16

1. What is the status of the development of the Community Project Portal where resident can get information and post comments?

The Community Projects portion of the webpage has been completed and can be found at <http://www.southamptontownny.gov/945/Community-Projects> It is also the first pane in the slide show when one visits the main website. You will find pictures of eight projects currently underway in the Town, including those in Hampton Bays. Each picture links to a page about the project which contains a pictorial slide show of the progress. Additional information will be added as new updates become available.

2. What is the status of the Ponquogue Beach renovation?

On May 24, the Town Board approved a resolution for the Town to make a Request for Proposals (RFP) for firms to submit conceptual designs for the facility's renovation. The specs became available on Thursday, June 2 and the bids/designs have to be submitted by the close of business on Wednesday, June 15. The Town will then review the proposals over the course of the next month with the aim of having the contract awarded by July 12. If that occurs, the target date for work to begin is September 15.

Additional Input from Julie Lofstad:

We will be asking for community input. We need to put out a bid so that we can get some conceptual renderings to share with the community. We were very clear that in the conceptual designs we wanted several options that people can choose from - from "only structural repairs to existing facility with no other changes" to making other various improvements. And if the community comes up with other ideas, those can be considered as well.

3. What is the status of the other projects in Hampton Bays i.e. Lyzons Hat Shop, Tiana Lifesaving Station, etc.

Six of the eight projects currently featured on the Town's "Community Projects" website are projects in Hampton Bays: Canoe Place Chapel, Good Ground Park, Old Ponquogue Bridge, and the Maritime Park at the Canal, the Tiana Lifesaving Station, and the Lyzon Hat Shop.

<http://www.southhamptontownny.gov/945/Community-Projects>

4. Does the Town have any data on the success or failure of the electric car "trolley" that is potentially coming to Hampton Bays i.e. complaints that is in other areas of the Town?

Both East Hampton and Southampton villages have had similar shuttle services to what is proposed for Hampton Bays. Both also seem to have had positive experiences too. Tom Neely has been speaking with the company Loop Rides (recently acquired by Gotcha Rides). He told me that their meetings have been positive and Loop Rides/Gotcha Rides have operated this type of service in other places. Tom suggested that interested residents could search the internet for Loop Rides and/or Gotcha Rides to see the information on their website, as well as for potential positive and negative reviews from other users.

However, the service may or may not operate this year as it is dependent on the operator finding sufficient advertising sponsors to subsidize the cost of running the service.

5. Has the Town Board scheduled a meeting in Hampton Bays? This was mentioned during Supervisor Schneiderman's campaign.

The meeting has been tentatively set for July 14, but the Supervisor's Office has stated that it is subject to potentially change. I could let you know if that is the case.

6. Beside the purchase of property, what can CPF be used for i.e. maintenance of the purchased property?

The state law enabling the creation of the tax which funds the CPF can be found here: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO>, though the fund itself, established at the town level pursuant to this law, is governed by Section 140 of the Town Code and found here: <http://ecode360.com/8694865> discusses the purposes and permitted uses of the fund more clearly, especially in 140-3: <http://ecode360.com/8694890>

To save you some reading, in general, CPF money can also be used for the maintenance of those properties it acquires and the administration of the Fund (employee costs, etc) up to 10%.

CAC members or residents with specific suggestions, questions, or other ideas about how these funds are managed, can speak directly with the CPF Manager, Mary Wilson (287-5720), the Town Supervisor (283-6055), or Town Council Liaison (287-5745).

7. What agency is responsible for maintaining Foster Park? How can we ensure the Park property is properly cleaned and maintained? Complaints were made about the grounds by the actual playground being unsafe.

The nine acre park at 43 Foster Avenue is maintained by the Town's Parks and Recreation Maintenance Division. I have let them know about the recent complaints about the grounds being potentially unsafe. Going forward, if CAC members or other residents spot something, or want to go over something specific, that department can be reached at 728-4170.

8. Complaints were made regarding the following private property: Please advise.

- Diner Property - signage for the donation of cars
- "Liggerts" Shopping Center (39 W. Montauk Highway) - garbage, dumpsters in back, shopping carts, etc.

The Town Code has specific provisions that regulate signs, especially commercial ones, with regard to dimensions, materials, and quantity. There is generally a permit process for those that are not exempt, and that process is run through the Building Department. Unless the property is already in contact with the Building Department for some reason (pending sign permit applications, building permits, etc.), investigations into potential non-compliance with state and local land use laws are run by the Code Enforcement Division (702-1700). I have referred both the sign and shopping center inquiries to that office to begin the process.

- Former LaPerdera/Tom McBrien's (174 E. Montauk Highway) appears to be a nightclub not a restaurant. Is that permitted?

The owners applied for a "Change of Tenancy" from the Building Department on April 14. This would permit the business to change from LaPradera to the Casa Tica Lounge and apply for sign permits, among other things. As part of this process, they submitted floor plans and were subject to site review by the Fire Marshal's office. They were granted the permit to make this change and to continue the existing A-2 occupancy, a restaurant.

As to a potential "nightclub" there, that use is possible under the Town Code as a "special exception" use, but has additional requirements and a higher bar to meet. However, it is also possible residents could have observed the premises operating in a way that looks like a nightclub (e.g. adding music and staying open late) while the place nevertheless still maintains the restaurant use (primarily serving food and drink). At that point the Town usually needs to make a judgment call after a field visit by a fire marshal or code enforcement officer, and potentially even with input from a town attorney. With this in mind, I have let those departments know of the CAC's concern.

Going forward, if residents observe a potential code violation, it can be report to Code Enforcement or the Fire Marshal at 702-1700 or 702-2919, respectively. During the summer, they usually incorporate weekend shifts.

Jun 14 (1 day ago)